

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GINGER RAY,

Plaintiff,

V.

**CENTRAL GARDEN & PET COMPANY
PENNINGTON SEED, INC., and
PENNINGTON SEED OF
NEBRASKA, INC.,**

Defendants.

7:07CV5016

ORDER

Upon notice of settlement given to the magistrate judge on March 26, 2009, by Michael D. Samuelson, counsel for the plaintiff,

IT IS ORDERED that:

1. **On or before April 27, 2009**, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to Chief Judge Joseph F. Bataillon, at bataillon@ned.uscourts.gov, a draft order which will fully dispose of the case. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a) and shall state whether the dismissal is with or without prejudice.
2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice in accordance with NECivR 68.1.
3. The defendants' Motion to Strike Inadequately Disclosed Witnesses From Plaintiff's Witness List ([Filing No. 76](#)) is denied as moot.
4. The pretrial conference and trial previously scheduled is cancelled upon the representation that this case is settled.

DATED this 26th day of March, 2009.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge